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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/303,368	04/30/1999	MARION SCOTT BRIGHT	BU9-99-021	8261

7590

05/12/2004

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EXAMINER

O CONNOR, GERALD J

ART UNIT

3627

PAPER NUMBER

35

DATE MAILED: 05/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

SEE ATTACHMENT

**OFFICE ACTION**

***Information Disclosure Statement Noted***

1. The information disclosure statement submitted by appellant on April 8, 2004 (Paper No. 34) was filed after the application had been forwarded to the Board of Patent Appeals and Interferences on December 30, 2002 for decision on the appeal. The submission complies with the provisions of 37 CFR 1.97. Accordingly, appellant's petition to have the information disclosure statement entered and considered by the examiner is granted. Note the attached signed copy of PTO-1449.

2. As the examiner elects not to reopen prosecution based on any information in Appellant's disclosure, the application is now being returned to the Board of Patent Appeals and Interferences for decision on the appeal.

***Conclusion***

3. Any inquiry concerning this communication, or earlier communications, should be directed to the examiner, Jerry O'Connor, whose telephone number is (703) 305-1525, and whose facsimile number is (703) 746-3976.

GJOC



May 5, 2004



ROBERT P. OLSZEWSKI  
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